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July 15, 2005

**VIA FACSIMILE**

The Honorable Richard C. Casey  
United States District Court  
for the Southern District of New York  
500 Pearl Street, Room 1350  
New York, New York 10007-1312

Re: In Re Terrorist Attacks on September 11, 2001, 03 MDL 1570 (RCC)  
Burnett v. Al Baraka Investment and Development, et al., 03 CV 9849 (RCC)

Dear Judge Casey:

With the Court's indulgence, we write on behalf of Yousef Jameel concerning Ms. Jodi Flowers' letter to the Court dated June 24, 2005. That letter provided ambiguous answers to the Court's clear order, relating to supplemental documents in the above-referenced case, "to specifically identify when each document was received in plaintiffs' custody." Hearing Tr. 6, June 14, 2005.

Ms. Flowers identified the date on which plaintiffs received every document except one. That one document, referred to as "Attachment E," purportedly is an FBI witness interview of Jamal Al Fadl. Concerning this document, Ms. Flowers stated that it "was received in October of 2004." Any date in October 2004 precedes the close of briefing, when Mr. Jameel filed his reply papers on December 19, 2004. The specific date on which the document was received in October would be relevant, however, if the Court wishes to know whether plaintiffs possessed it when they filed their opposition papers on October 18, 2004.

Additionally, Ms. Flowers' letter is ambiguous as to whether agents for the Plaintiffs, Messrs. Brisard and Kohlmann, were in possession of Attachment E prior to October 2004. The Court may wish confirmation that the date that plaintiffs provide is the earliest date on which either plaintiffs' counsel or their agents possessed the document.

Ms. Flowers has refused our request for clarification, as the attached correspondence attests. We apologize for the need to trouble the Court, but respectfully request the Court's assistance in effectuating its June 14, 2005, order. Specifically we request that Plaintiffs identify the exact date that Exhibit E first came into their possession or the possession of their agents, including Messrs. Brisard and Kohlmann. ✓

Respectfully,

A handwritten signature in black ink, appearing to read "Viet D. Dinh".

Viet D. Dinh

*Application granted*

*July 27, 2005*

cc: All Counsel of Record

A handwritten signature in black ink, appearing to read "Richard C. Casey".